



PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : RONALD A. KATZ)
SERIAL NO. : 07/803,264) EXAMINER: T. BROWN)
FILED : December 3, 1991) GROUP NO.: 2601)
FOR : TELEPHONIC-INTERFACE)
STATISTICAL ANALYSIS)
SYSTEM)
DOCKET NO. : 4646-101NB)

#13E
w/Declaration
↓
Attach.
R. Logan
12-1-92

AMENDMENT

COMMISSIONER OF PATENTS
& TRADEMARKS
Washington, D.C. 20231

November 12, 1992
707 Wilshire Blvd. - Suite 3200
Los Angeles, California 90017

RECEIVED
92 DEC 17 AM 8:13
GROUP 260

Sir:

In response to the Office Action dated May 12, 1992,
please amend the above-identified application as follows:

=====

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the
United States Postal Service in an envelope as "Express Mail Post
Office to Addressee" mailing label TB012936220US addressed to the
Commissioner of Patents and Trademarks, Washington, DC 20231.

Date: November 12, 1992

Reena Kuyper
Reena Kuyper, Registration No. 33,830

IN THE SPECIFICATION:

Please amend the specification as indicated below.

In the introductory paragraph of the specification added by the first preliminary amendment of December 3, 1991 (Paper No. 3) replace "continuation" with --divisional-- and replace "U.S. Patent No. 484,739" with --U.S. Patent No. 4,845,739--.

IN THE CLAIMS:

Please amend claims 29, 38, 42, 46, 55, 57, 59 and 60 as indicated below and cancel Claims 39-41 and 52, without prejudice.

29. (Thrice Amended) An analysis control system for use with a communication facility including remote terminals for individual callers, wherein each of said remote terminals may comprise a conventional telephone instrument including voice communication means and digital input means in the form of an array of alphabetic numeric buttons for providing data, said analysis control system comprising:

interface structure selectively coupled to said communication facility to interface said terminals for voice and digital communication and including means to provide signals representative of data developed by said terminals;

voice generator structure selectively coupled through said interface structure to said terminals for providing vocal operating instructions to individual ones of said callers;

15 record memory means connected to said interface structure
16 for initiating a file and storing data relating to certain select
17 ones of said individual callers including data developed by said
18 terminals;

E1
conce
19 designation structure means selectively coupled to said
20 interface structure and said record memory means for assigning
21 individual designations to callers and storing said designations
22 in said record [structure] memory means; and

23 analysis structure connected to said record memory means for
24 processing said data relating to certain select ones of said
25 individual callers to isolate a subset of said callers.

Sub
G1
E2
10/24/42
38. (Thrice Amended) An analysis control system for use
with a communication facility including remote terminals for
individual callers, wherein each of said remote terminals may
comprise a conventional telephone instrument including voice
communication means and digital input means in the form of an
array of alphabetic numeric buttons for providing data, said
analysis control system comprising:
interface structure selectively coupled to said
communication facility to interface said terminals for voice and
digital communication and including means to provide signals
representative of data developed by said terminals;
voice generator structure selectively coupled through said
interface structure to said terminals for providing vocal
operating instructions to individual ones of said callers;

15 record memory means selectively connected to said interface
16 structure for initiating a file and storing data relating to
17 certain select ones of said individual callers including data
18 developed by said terminal;

19 designation structure means selectively coupled to said
20 interface structure and said record memory means for assigning
21 individual designation data to substantially all callers and
22 storing said designation data in said record [structure] memory
23 means;

E2
concl
24 analysis structure connected to said record memory means for
25 processing said data relating to certain select ones of said
26 individual callers to isolate a subset of said callers; and

27 qualification structure for qualifying the operation of said
28 analysis structure under control of said signals representative
29 of data developed by said terminals.

11
1 42. (Amended) A controlled interface system for use with a
2 telephonic communication facility including remote terminals for
3 individual callers, wherein said remote terminals may comprise a
4 conventional telephone instrument, and wherein said telephone
5 communication facility may provide called terminal [digital] DNIS
6 signals [to a called station representative of the called
7 station], said controlled interface system comprising:

E3
cont'd
8 function unit means for supplying information of various
9 formats, at least one of said formats being associated with an
10 audio of a broadcast;

11 interface means for interfacing said telephonic
12 communication facility with said function unit means for voice
13 and digital communication including means to receive terminal
14 formed digital signals and means to provide signals
15 representative of vocal communication to individual callers,
16 said interface means further including means for voice
17 communication to cue callers for actuating said remote terminals
18 to provide terminal-formed signals; and
19 coupling means for coupling a [specific] caller at a
20 terminal through said interface means to said function unit means
21 for selective communication in accordance with a specific one of
22 said formats under control of said called terminal [digital] DNIS
23 signals.

E3
concl

1 46. (Amended) A communication process for use with a
2 telephone communication facility including remote terminal
3 apparatus for use by individual callers, wherein said remote
4 terminal apparatus may comprise a conventional telephone
5 instrument, and wherein said telephone communication facility
6 provides called terminal [digital] DNIS signals [to a called
7 station representative of the called station], said communication
8 process comprising the steps of:
9 providing information signals of various formats
10 representative of vocal information in accordance with said
11 various formats;

E4
concl

E4
10acc

12 interfacing said communication facility to said remote
13 terminal apparatus to receive terminal formed digital signals and
14 selectively provide said information signals for providing vocal
15 communication to individual callers; and
16 controlling the interfacing to said communication facility
17 to provide said information signals to said remote terminal
18 apparatus selectively with respect to said various formats in
19 accordance with said called terminal signals whereby a caller
20 selectively receives information in accordance with a
21 predetermined format.

Sub
G3

ES
cont'd

55. (Twice Amended) An analysis control system for use with
a communication facility including remote terminals for
individual callers, wherein each of said remote terminals may
comprise a conventional telephone instrument including voice
communication means and digital input means in the form of an
array of alphabetic numeric buttons for providing data and
wherein said communication facility has a capability (ANI) to
provide terminal digital data, for example, indicating [the] a
calling number, said analysis control system comprising:
interface structure coupled to said communication facility
to interface said terminals for voice and digital communication
and including means to provide caller data signals representative
of data relating to said callers developed by said terminals and
said terminal digital data indicative of the calling number using
said capability (ANI);

ES
cont

16 analysis structure for processing said caller data signals
17 representative of data relating to said callers from said digital
18 input means to compose and store data in a specific format; and
19 control structure for controlling said analysis structure in
20 accordance with said terminal digital data.

sub G4
E6

57. (Amended) A system according to claim 55 wherein said
2 analysis structure includes means for initiating a file and
3 storing data relating to at least one specific one of said
4 callers and whereby said control structure controls access by
5 said specific of said [caller] callers to said analysis
6 structure.

26-59
E7
cont. 2

26-59. (Twice Amended) An analysis control system for use with
2 a communication facility including remote terminals for
3 individual callers, wherein each of said remote terminals may
4 comprise a conventional telephone instrument including voice
5 communication means and digital input means in the form of an
6 array of alphabetic numeric buttons for providing data, said
7 analysis control system comprising:

8 interface structure coupled to said communication facility
9 to interface said terminals for voice and digital communication
10 and including means to provide signals representative of data
11 developed by said terminals;
12 voice generator structure coupled through said interface
13 structure for actuating said terminals as to provide vocal

14 operating instructions to [a] specific [one] ones of said
15 individual callers;
16 record means, including memory and control means, connected
17 to said interface structure for initiating a file and storing
18 data relating to certain select ones of said individual callers;
19 and
20 designation means coupled to said interface structure and
21 said record means for assigning individual designations to
22 callers and storing said designations in said record means, said
23 designation means including means for storing representations of
24 the telephone number of each of the terminals used by [said one
25 of] said callers and wherein said signals representative of data
26 developed by said terminals include signals representative of a
27 number designating a particular remote terminal apparatus and
28 provided by said communication facility as a result of a call.

E7
concl

1 2760. (Amended) An analysis control system for use with a
2 communication facility including remote terminal apparatus for
3 individual callers, wherein said remote terminal apparatus may
4 comprise a conventional telephone instrument including voice
5 communication means and digital input means in the form of an
6 array of alphabetic numeric buttons for providing data, said
7 analysis control system comprising:
8 interface structure coupled to said communication facility
9 to interface said terminal apparatus for voice and digital
10 communication and including means to provide caller data signals

E8
cont'd

11 representative of data relating to said callers developed by said
12 terminal apparatus;
13 voice generator structure coupled through said interface
14 structure for actuating said terminal apparatus as to provide
15 vocal operating instructions to [an] individual [one] ones of
16 said callers;
17 record means, including memory and control means, connected
18 to receive said caller data signals from said interface structure
19 for initiating a file and storing caller data relating to certain
20 select ones of said individual callers;
21 designation structure means coupled to said interface
22 structure and said record means for assigning individual
23 designations to callers and storing said designations in said
24 record means; and
25 acknowledgement structure whereby a caller confirms an
26 assigned individual designation.

EP
concl

REMARKS

The Office Action mailed May 12, 1992 has been carefully considered. Claims 29-60 are pending in this application. Claims 47-51 have been allowed and Claims 29-46 and 52-60 stand rejected. The Examiner indicated that Claims 29-38, 53, 54 and 60 apparently would be allowable if amended to overcome the rejection under 35 U.S.C. § 112. By this amendment Claims 29, 38, 42, 46, 55, 57, 59 and 60 have been amended and Claims 39-41 and 52 have been canceled without prejudice. Reconsideration of

this application in light of the foregoing amendments and arguments in support thereof is earnestly solicited.

Discussion of the Requirement of a Supplemental Declaration

In paragraph 2 of the Office Action, the Examiner indicated that in view of additional subject matter obviously claimed in this application, a Supplemental Declaration is required. In response to the Examiner's requirement a Supplemental Declaration and Petition is being submitted herewith.

Discussion of the Amendments to the Specification

In paragraph 3 of the Office Action, the Examiner indicated two errors. Accordingly, in the introductory paragraph of the specification added by the first preliminary amendment of December 3, 1991 (Paper No. 3) "continuation" has been replaced with --divisional-- and "U.S. Patent No. 484,739" has been replaced with --U.S. Patent No. 4,845,739--.

Discussion of the Objection to the Disclosure and
Rejection of Claims 42-46, 59 and 60 Under 35 U.S.C. §112

In paragraphs 4 and 5 of the Office Action, the Examiner objected to the disclosure and rejected Claims 42-46, 59 and 60 under 35 U.S.C. §112, first paragraph, for the reasons set forth in the objection to the disclosure.

In particular, Claims 42 and 46 have been amended to exclude the reference to a "called station." Claims 42 and 46 now recite

called terminal --DNIS-- signals instead of "digital" signals. In response to the Examiner's rejection of Claim 42 based upon the word "specific" and its implication, Claim 42 has been amended to delete "specific."

Furthermore, at lines 8-10 of Claim 42, "an audio broadcast" has been replaced with an audio --of a-- broadcast, support for which is found at page 43, lines 17-20.

Claims 59 and 60, at lines 13-15 and 14-16, respectively, have been amended to recite specific --ones-- of said callers. Claim 59, at lines 24-25 has also been amended to delete "said one of."

Claims 42, 46, 59 and 60 have been amended to overcome the Examiner's 35 U.S.C. § 112 rejections and are therefore in condition for allowance. Claims 43-45 by virtue of their dependency on amended Claim 42 should likewise be in condition for allowance.

Discussion of the Rejection of Claims 29-41, 46 and
52-58 under 35 U.S.C. § 112

The Examiner rejected Claims 29-41, 46 and 52-58 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regard as the invention.

Each of the stated bases for the Examiner's 35 U.S.C. § 112 rejections have been addressed by the foregoing amendments. In particular, Claims 29 and 38 have been amended to recite said

record --memory means-- instead of "said record structure," which has antecedent basis in the previous paragraph of each of the two claims. With respect to the Examiner's rejection of Claims 39, 52 and 41 (appearing in the order referenced in paragraph 6 of the Office Action), it is respectfully submitted that they have been canceled without prejudice. In Claim 55, at lines 8-9, "the calling number" has been amended to --a-- calling number. In Claim 57, at line 4, "said specific caller" has been replaced with said specific --of said-- callers. Also in Claim 57, at line 3, "specific of said callers" has been amended to --at least one-- specific --one-- of said callers.

Claims 29, 38, 55 and 57 have been amended to overcome the Examiner's rejections and should therefore be in condition for allowance. Accordingly, Claims 30-37 and 53, and 54, by virtue of their dependency on Claims 29 and 54, respectively, should likewise be in condition for allowance.

Discussion of the Examiner's Comments with Regard to
Claims 39-41, 52 and 55-58

It is respectfully submitted that Claims 39-41 and 52 have been canceled, without prejudice. On page 5 paragraph 7 the Examiner suggested that the Applicant submit the subject matter which lead to the disclaimer of Claim 3 in Applicant's U.S. Patent No. 4,845,739 for the Examiner's consideration because the Examiner believes it is related to Claims 39 and 52 of the present application. Even though Claims 39 and 52 have now been

canceled, U.S. Patent No. 4,071,698 to Barger Jr., et al., is enclosed with this amendment for the Examiner's consideration.

The Examiner has taken the position that Claims 55-58 are within the scope of the patents to Riskin and DeFrancesco (the latter of which the Examiner believes pertains to Claim 55). It is respectfully submitted that Claim 55 recites analysis structure for processing caller data signals representative of data relating to the callers and control structure for controlling the analysis structure, which is not taught by the disclosure in either of the patents when considered alone or in combination. To more particularly point out this distinction Claim 55 has been amended to further recite --to compose and store data in a specific format--, support for which can be found on page 12 of the specification.

Discussion of Apparently Allowable Claims 29-38, 53, 54 and 60

In paragraph 9 of the Office Action, the Examiner indicated that Claims 29-38, 53, 54, and 60 apparently would be allowable if amended to overcome the rejection under 35 U.S.C. § 112.

Claims 29, 38 and 60 have been amended and are in condition for allowance. Likewise Claims 30-37 and 53 by virtue of their dependency on allowable Claim 29, and Claim 54 by virtue of its dependency on allowable Claim 38, are in condition for allowance. Allowance of Claims 29-38, 53, 54 and 60 is respectfully requested.

Other Comments

In paragraph 11 of the Office Action, the Examiner notes that until the Amendment requesting cancellation of the corresponding claims in parent Application Serial No. 335,923 is entered, there remains a potential for conflict between the claims of the two cases and as long as the subject claims remain in the '923 case, the claims cannot be allowed in this one.


Under 37 C.F.R. § 1.116 amendments canceling claims may be made after final rejection, in accordance with which practice cancellation of the claims in the parent case was duly requested. In any event, the Appeal Brief in parent Application Serial No. 335,923 has been filed in the U.S. Patent and Trademark Office.

SUMMARY

Based upon the foregoing amendments and arguments in support thereof, Applicant respectfully submits that the present application is in condition for allowance. Applicant therefore respectfully requests reconsideration of this application and that the application be passed to issue.

Respectfully submitted,

NILSSON, WURST & GREEN


Reena Kuyper
Registration No. 33,830

Docket No. 4646-101NB
(213) 243-8000



#124

SUPPLEMENTAL DECLARATION AND PETITION

As a below named inventor, I hereby declare that:
My residence, post office address and citizenship
are as stated below next to my name.

I believe that I am the original, first and sole
inventor of the subject matter which is claimed and for which
a patent is sought on the invention entitled TELEPHONIC-
INTERFACE STATISTICAL ANALYSIS SYSTEM, the specification (a
copy under 37 C.F.R. § 1.60(b)) of which was filed on December
03, 1991, as Application Serial No. 07/803,264 and amended on
December 3, 1991, February 28, 1992, and March 5, 1992.

I hereby state that I have reviewed and understand
the contents of the above-identified specification, including
the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which
is material to the examination of this application in
accordance with Title 37, Code of Federal Regulations,
§1.56(a).

I hereby claim foreign priority benefits under Title
35, United States Code, § 119 of any foreign application(s)
for patent or inventor's certificate listed below and have
also identified below any foreign application for patent or
inventor's certificate having a filing date before that of the
application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

			Priority claimed	
NONE				
Number	Country	Date Filed	Yes	No

			Priority claimed	
Number	Country	Date Filed	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>07/640,337</u>	<u>January 11, 1991</u>	<u>Pending</u>
Application Serial No.	Filing Date	Status

<u>07/335,923</u>	<u>April 10, 1989</u>	<u>Pending</u>
Application Serial No.	Filing Date	Status

<u>07/194,258 (U. S. 4,845,739)</u>	<u>May 16, 1988</u>	<u>Issued</u>
Application Serial No.	Filing Date	Status

<u>07/018,244 (U. S. 4,792,968)</u>	<u>February 24, 1987</u>	<u>Issued</u>
Application Serial No.	Filing Date	Status

<u>06/753,299</u>	<u>July 10, 1985</u>	<u>Abandoned</u>
Application Serial No.	Filing Date	Status

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my

Full name of sole or first inventor: Ronald A. Katz

Inventor's signature:

Date:

Residence: Los Angeles, California

Citizenship: U. S. A.

Post Office Address: 570 South Mapleton Drive, Los Angeles,
California 90024

Docket No.: 4646-101NB